Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. Applicant/Contact name and address: South Flat Water Users, Inc.
306 Lone Mountain Rd
Toston, MT 59643

2. Type of action: Application for Beneficial Water Use Permit No. 41I-30127971

3. Water source name: Missouri River

4. Location affected by project: Sections 2, 3, 9, 10, 16, 19, 20, 28, 29, 30, 31 and 32, T4N, R2E; Sections 35 and 36, T5N, R2E; all in Broadwater County

5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

Applicant proposes to appropriate water from the Missouri River during high spring flows to store in an off-stream reservoir. The reservoir is projected to provide 12 to 24 hours of storage for irrigation use in approximately 17 center pivots. Water will be diverted from the Missouri River at a point south of Toston, Montana via a pump and pipeline system at the location of an existing streamflow gage (USGS 06054500). The location of the proposed point of diversion (POD) is in the SWNW Section 36, T5N, R2E. The 40-AF off-stream storage reservoir is proposed in the SW Sec 20, T4N, R2E. A 24-inch diameter pipeline would run approximately 6.5 miles from the POD to the irrigation place of use (POU). The maximum flow rate and total annual volume proposed for this permit application is 18 CFS and 3,991 AF, respectively. The proposed center pivot irrigation POU consists of 1,914 acres in Sections 19, 20, 28, 29, 30, 31, and 32 in T4N, R2E. The high spring flow period of diversion for the project is from April 1 through June 30. The proposed period of use is April 1 through October 31, although the lack of meaningful storage would greatly limit the period of use.

The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.

6. Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)

Montana Department of Fish, Wildlife & Parks (DFWP)
Montana Natural Heritage Program
Montana DNRC Trust Lands

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity *- Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.*

Determination: No significant impact

The proposed source of water (Missouri River near Toston) is identified as a periodically dewatered stream on the May 2005 report entitled FWP Dewatering Concern Areas. The report defines periodic dewatering as "streams where dewatering is a significant problem only in drought or water-short years." The proposed appropriation would divert water during high spring flows. On this reach of the Missouri River the high spring flow period has been identified as the months of April, May, and June. Since low flow conditions most often occur in mid to late summer, the proposed high spring flow appropriation should not greatly influence the periodic dewatering concerns of DFWP.

Water quality *- Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.*

Determination: No significant impact.

Diversions are only proposed during high flow which should not significantly alter water quality.

Groundwater *- Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

Determination: No significant impact.

The proposed diversion is from surface water during high flows so the impact to groundwater should be minimal.

DIVERSION WORKS *- Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

Determination: No significant impact.

The installation of a pump site on the Missouri River should not significantly impact the channel or result in flow modification or barriers given the size of the river. Minor impacts to the riparian area at the pump site should not result in significant impact to the area as a whole. No dams or wells are proposed.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species *- Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."*

Determination: Potential impact.

The Bald Eagle was identified in the attached Montana Natural Heritage Program Environmental Summary as a Special Status Species in the project area. The proposed irrigation will occur on land that is already identified as in use by cultivated crops which should result in minimal impact. The proposed conveyance pipeline could potentially disturb wildlife during construction but should not produce a lasting impact.

Wetlands *- Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

Determination: No impact.

The proposed project does not involve wetlands.

Ponds *- For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

Determination: No impact.

The proposed project does not involve existing ponds.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE *- Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

Determination: Minimal impact.

Pipeline construction could potentially disturb soils in a small area. Proposed irrigation will occur on land already identified in the attached Montana Natural Heritage Program Environmental Summary as in use predominantly by cultivated crops. Additional majority land cover in the area includes Rocky Mountain Lower Montane, Foothill, and Grassland and Big Sagebrush Steppe, both of which are listed as having non-saline soil, therefore saline seep is not anticipated.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

Determination: Potential impact.

Proposed irrigation will occur on land identified in the attached Montana Natural Heritage Program Environmental Summary as in use by cultivated crops, therefore the majority of the proposed project should have little impact on existing vegetation cover. Construction of the proposed pipeline could result in existing vegetation cover disturbance and the establishment or spread of noxious weeds.

AIR QUALITY - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

Determination: No impact.

Some dust could be produced during proposed pipeline construction, but no significant air pollutants are expected.

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.*

Determination: No impact.

A portion of the proposed diversion and conveyance works appear to involve state Trust Lands, and no cultural resource concerns were identified by DNRC Trust Lands staff.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

Determination: No impact.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

Determination: No impact.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

Determination: No impact.

HUMAN HEALTH - *Assess whether the proposed project impacts on human health.*

Determination: No impact.

PRIVATE PROPERTY - *Assess whether there are any government regulatory impacts on private property rights.*
*Yes___ No__**X**_ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.*

Determination: No impact.

OTHER HUMAN ENVIRONMENTAL ISSUES - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

Impacts on:

(a) *Cultural uniqueness and diversity?* No impact

(b) *Local and state tax base and tax revenues?* No impact

(c) *Existing land uses?* No impact

(d) *Quantity and distribution of employment?* No impact

(e) *Distribution and density of population and housing?* No impact

(f) *Demands for government services?* No impact

(g) *Industrial and commercial activity?* No impact

(h) *Utilities?* No impact

(i) *Transportation?* No impact

(j) *Safety?* No impact

(k) *Other appropriate social and economic circumstances?* **No impact**

2. *Secondary and cumulative impacts on the physical environment and human population:*

Secondary Impacts None

Cumulative Impacts None

3. *Describe any mitigation/stipulation measures:* None

4. ***Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:***

No reasonable alternatives to the proposed action exist.

PART III. Conclusion

1. Preferred Alternative

2 Comments and Responses

3. ***Finding:***
*Yes___ No_**X**__ Based on the significance criteria evaluated in this EA, is an EIS required?*

If an EIS is not required, explain <u>why</u> the EA is the appropriate level of analysis for this proposed action: No significant impacts are anticipated based on the proposed project, therefore an EA is the appropriate level of analysis.

Name of person(s) responsible for preparation of EA:

Name: Bryan Gartland
Title: Helena Regional Manager
Date: April 30, 2021